

3764. Adulteration of tomato paste. U. S. v. 50 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6032. I. S. No. 220-k. S. No. E-145.)

On October 26, 1914, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about September 11, 1914, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in the libel for the reason that the product consisted, in whole or in part, of a filthy, decomposed, and putrid vegetable matter.

On November 18, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *April 23, 1915.*

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